

1 Laurence M. Rosen (SBN 219683)
2 **THE ROSEN LAW FIRM, P.A.**
3 355 South Grand Avenue, Suite 2450
4 Los Angeles, CA 90071
5 Telephone: (213) 785-2610
6 Facsimile: (213) 226-4684
7 Email: lrosen@rosenlegal.com

8 *Lead Counsel for Plaintiffs*

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA

11 GEORGE BARNEY, Individually and
12 on behalf of all others similarly situated,

13 Plaintiff,

14 v.

15 NOVA LIFESTYLE, INC., THANH H.
16 LAM, YA MING WONG, JEFFERY
17 CHUANG, and YUEN CHING HO,
18

19 Defendants.

No. 2:18-cv-10725-TJH(AFMx)

**NOTICE OF MOTION AND
MOTION FOR FINAL
APPROVAL OF SETTLEMENT,
PLAN OF ALLOCATION, AND
FINAL CERTIFICATION OF
SETTLEMENT CLASS**

CLASS ACTION

Date: November 6, 2023

Time: 10:00 a.m.

Courtroom: 9B

Judge: Terry J. Hatter Jr.

1 **PLEASE TAKE NOTICE** that pursuant to the Order Granting Motion for
2 Preliminary Approval [87], entered on July 10, 2023 (Dkt. No. 93) and the July 13,
3 2023 Order setting the Settlement Hearing (Dkt. No. 95), on November 6, 2023 at 10:00
4 a.m., before the Honorable Terry J. Hatter, United States District Judge for the Central
5 District of California, 350 W. 1st Street, Courtroom 9C, 9th Floor, Los Angeles,
6 California 90012, Lead Plaintiffs Richard Deutner and ITENT EDV Dienstleistungs
7 GmbH (“Plaintiffs”) will and hereby do move this Court for entry of an order granting
8 final: (i) certification of the proposed Settlement Class for settlement purposes only;
9 (ii) approval of the proposed Settlement and the Plan of Allocation; and (iii) approval
10 of the form, manner, and content of the notice of the Settlement that was delivered to
11 the Settlement Class.

12 Plaintiffs base this motion upon the Memorandum of Points and Authorities in
13 Support of Motion for Final Approval of Settlement and Plan of Allocation, and Final
14 Certification of Settlement Class, the Declaration of Phillip Kim and all exhibits
15 attached thereto, all records and papers on file in this action, and any argument offered
16 at a hearing on this motion.

17 The [Proposed] Order and Final Judgment, previously filed as Exhibit B to the
18 Stipulation (Dkt. No. 86-6), is submitted herewith.

19
20 Dated: October 6, 2023

THE ROSEN LAW FIRM, P.A.

21 By: /s/ Phillip Kim
22 Laurence M. Rosen (SBN 219683)
23 355 South Grand Avenue, Suite 2450
24 Los Angeles, CA 90071
25 Telephone: (213) 785-2610
26 Facsimile: (213) 226-4684
Email: lrosen@rosenlegal.com

27 Phillip Kim (*pro hac vice*)
28 275 Madison Avenue, 40th Floor

New York, NY 10016
Telephone: (212) 686-1060
Facsimile: (212) 202-3827
Email: pkim@rosenlegal.com

Lead Counsel for Plaintiffs and the Class

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I, Phillip Kim, hereby declare under penalty of perjury as follows:

I am a Partner at The Rosen Law Firm, P.A., with offices at 275 Madison Avenue, 40th Floor, New York, NY 10016. I am over the age of eighteen.

On October 6, 2023, I electronically filed the foregoing NOTICE OF MOTION AND MOTION FOR FINAL APPROVAL OF SETTLEMENT, PLAN OF ALLOCATION, AND FINAL CERTIFICATION OF SETTLEMENT CLASS with the Clerk of the Court using the CM/ECF system which sent notification of such filing to counsel of record.

Executed on October 6, 2023.

/s/Phillip Kim